Archivist Was Sounded Out In December on Library Job

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The archivist of the United States, Don W. Wilson, disclosed yesterday that he was sounded out in December about running the Bush Presidential Library Center and was mentioned as a candidate at a face-to-face meeting Jan. 4 with President Bush himself.

Wilson said Bush responded by saying: "Well, they could certainly use somebody with presidential library knowledge."

The 50-year-old archivist gave the account at a deposition by lawyers challenging a controversial agreement he signed Jan. 19, Bush's last full day in office, giving Bush exclusive legal control of the computerized records of his presidency.

Wilson said yesterday that he never saw the agreement until around 11 p.m. on Jan. 19. He said repeatedly that he didn't study it, was not familiar with its terms, and signed it only "on the advice of counsel."

"I was, on the advice of counsel, urged to sign it," Wilson said at one point.

The Justice Department, at the urging of several Democratic senators, has said it is considering a possible criminal investigation of conflict of interest on Wilson's part. He announced last month that he is leaving the government to take a $129,000-a-year job as executive director and research professor of the Bush Center for Presidential Studies at Texas A&M University.

A Texas A&M spokesman told The Washington Post last week that it was not until Jan. 26—a week after the controversial agreement with Bush was signed—that "anyone at Texas A&M had contact with Don Wilson about being executive director of the Bush Center."

Under questioning yesterday by Public Citizen lawyer Michael Tankersley, Wilson said he had had earlier conversations about the job, in December, with Bush's oldest son, George W. Bush, and with James W. Cicconi.

George W. Bush is president and Cicconi vice president of the George Bush Presidential Library and Museum Foundation, which will help build the center complex on a 90-acre site with donated funds. The library itself, once built, will be run by the National Archives, which already operates nine other presidential libraries.

Wilson testified that the first discussion he had about the post was in mid-December, when Cicconi contacted him to ask if he would be interested.

A former history professor and once director of the Gerald R. Ford presidential library, Wilson said he told Cicconi that he was more interested in teaching and research, but "I was encouraged to think about it." He said George W. Bush called a day or two later and asked again.

On Jan. 4, Wilson was summoned to the White House to join Cicconi and William Stewart, an architectural consultant, "to talk a little to the president" about the Bush Library Center and Bush's role in it. Cicconi told the president that "Texas A&M was interested" in hiring Wilson.

When Bush replied that "they could use somebody with presidential library knowledge," Wilson said he observed that no one at Texas A&M had contacted him. Cicconi, Wilson said, called him again on Jan. 12 and told him that Texas A&M was interested and was "developing an offer."

Wilson said he consulted Archives general counsel and ethics officer Gary L. Brooks the same day, told him he was "under consideration" at Texas A&M and that he also had considered teaching at the University of Tennessee and University of Michigan. Brooks, Wilson tesified, told him to disqualify himself from any decisions that would have "a direct and predictable impact" on any of those institutions.

Asked if he made any disclosure to Brooks "regarding the Bush Foundation," Wilson said he did not. "This is not a position with the Bush Foundation," he said of the post.

Asked why Wilson didn't recuse himself from any action that might enhance his own prospects for financial gain, his private lawyer, Fred Fielding, said after the deposition that "if the ethics officer [Brooks] had advised him that what he did on the 19th might have that effect, he would have recused himself."

In the midst of these conversations, Archives officials were trying to decide what to do about a Jan. 6 court decision here by U. S. District Judge Charles R. Richey. The judge held that a Bush White House plan to destroy computer records was unlawful and that Wilson had "breached his statutory duty" by failing to prevent the threatened destruction. Richey ordered the Archives, Bush, and the other defendants not to remove or delete the tapes until archivists could make sure any federal records on them were preserved.

Wilson said he delegated the task of complying with Richey's order to acting deputy archivist Raymond A. Mosley and paid little attention to what happened thereafter. Wilson said he signed the agreement giving Bush "exclusive legal control" of presidential information on the tapes at Brooks's urging close to midnight on Jan. 19, while White House officials were erasing the computerized records from White House machines and making backup copies for transportation to the Archives before President Clinton was sworn in.

Critics—including the nonprofit National Security Archive, which is pressing the lawsuit—have charged that the agreement giving Bush "exclusive legal control" of all presidential information on the tapes conflicts with a 1978 law making presidential records public property.

Offered a teaching job as well as the administrative post, Wilson announced his acceptance Feb. 12.